

## **Exhibit J**

**Georgia M. Ascianto**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X

GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF**  
**GEORGIA M. ASCIUTTO**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X

STATE OF NEW YORK )

: SS.:

COUNTY OF WESTCHESTER )

GEORGIA M. ASCIUTTO, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 1 Scarsdale Road, Apt 405, Tuckahoe, New York 10707.

2. I am currently 63 years old, having been born on April 9, 1959.

3. I am the wife of Stephan Hittmann, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My husband passed away from tongue cancer on April 7, 2013. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. Stephan and I were married for seventeen years. We met later in life. We had our daughter when I was thirty-eight years old. We were both older, and we knew exactly what we wanted out of life and out of a partner. Stephan was twelve years older than me. I believe in the Chinese calendar, so Stephan and I were the same sign since we were twelve years apart. We were connected in that way. I really believe we were soulmates. We both worked in education, that's how we met. Our daughter is now a teacher too. We had a lot of commonalities, and our

families were very blended. I was very lucky.

6. Stephan worked out of the Brooklyn Headquarters for FDNY, at the MetroTech building. He was a full-time FDNY employee at the time of 9/11/2001. He called me immediately when the first plane hit. I had a cousin who worked in the World Trade Center for Cantor Fitzgerald, who has since passed, but he wasn't at work that day. I watched the second plane hit the towers at home with my parents. Stephan came home a couple of days later, and it was gut-wrenching. He was doing rescue and recovery at the pile. He came home forty-eight hours later, after midnight. He stood at the doorway of our bedroom, and I was in bed. The dust coming off his clothes was so strong that I started coughing. I told him go outside, take off your clothes, throw them out, and take a shower. I know that Stephan worked at the World Trade Center site from 9/11/2001 until the end of December 2001. I know he qualified to be in the Victims' Compensation Fund. We had lots of firefighters staying at our house in Yonkers during the recovery.

7. Stephan had a lump that appeared on his neck in about mid-January 2013. He asked me what I thought it was, I said maybe it's a swollen gland. When he was at his primary physician for a physical a few days following, I said, "Why don't you ask the doctor to check it out?" The doctor immediately sent him down to the ENT doctor, who found a sizeable growth on the base of his tongue. It turns out that that lump on his gland was the second site of Stage IV tongue cancer. He had no symptoms other than the tumor. It was inoperable—they couldn't take it out without taking out Stephan's tongue. He died ten weeks later.

8. I was shocked to learn that Stephan had tongue cancer. He was a healthy guy. He had been retired and was very active and physically fit. He worked out and even had a personal trainer. We thought he was in good shape to beat the cancer. He was a strong man and had good genes. Each of his parents lived until 97 years old. We didn't want to let them know that he was sick. They had already lost another son earlier in life to an asthma attack. He had wonderful, wonderful parents—he didn't want them to worry, for the fear that it might kill them. We also didn't want our daughter to know, as she was only fifteen years old at the time.

9. Stephan was already in the World Trade Center Health Program. Our physicians here in Westchester gave him a second opinion, at the Mount Sinai Head and Neck Cancer Division. They had seen a lot of other first responders come through their doors since 9/11. They started him on aggressive chemotherapy and radiation. They put a feeding tube into his stomach.

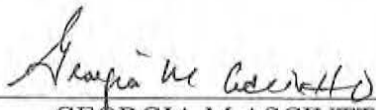


He had a surgery for the feeding tube, and he had radiation five days per week and chemotherapy one day per week. By the fifth week of chemotherapy, he was losing capacity. He continued with the radiation, but his body was quickly weakening.

10. It was hell. I was still working—I was the executive director of a non-profit organization in Albany, so I had to drive up to Albany to work on projects before the state budget passed, which was on March 31. I would split the week, doing half the time in Westchester and half in Albany. I was relying on a few fireman friends to get him to treatment. Stephan would go to radiation in the morning at Mount Sinai, and I would take our daughter to school. Then, I'd go to the hospital and sit with him through chemotherapy until he was able to be discharged. I would then go pick up our daughter and cook dinner for her. My mother had a stroke, and she was in the ER an hour and a half away in New Jersey. So, I would go to visit her too. We were always at Mount Sinai, even the day before he died. This whole time we were keeping the cancer a secret. It was extremely difficult. We were trying to hold onto hope, because if he could get through the treatment then we could get him off the feeding tube, and he could start eating again. But the radiation and the chemo were destroying his body. He died on April 7, 2013.

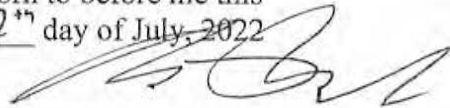
11. A couple years after Stephan's death, I finally received a Victims' Compensation Fund Award, but they subtracted off Stephan's life insurance award. That was another blow to my heart. Now, not only had I lost a loved one, but I also lost hundreds of thousands of dollars that I felt I deserved. There were other financial burdens as well. I was a sole parent living in Westchester, paying \$23,000 per year in property taxes. I only made about \$120,000 in income. Plus, my daughter was in a public school that we tuitioned her into, in Ardsley, instead of Yonkers. We had to pay another \$20,000 per year to put her in Ardsley schools. So, before I even bought a loaf of bread, I had \$43,000 in annual payments on one salary. I didn't have Stephan's pension, and I had to fight NYCERS for four years to get a presumptive death benefit pension award, which was only half of Stephan's pension. I've had a triple Jeopardy against me. I never left working in Albany either. So, my entire professional career was there. I had to hire someone to be with my daughter, pick her up from school, and I had to commute every day to Albany. It was an incredible amount of stress on me. I was a sole parent, completely on my own. My own parents couldn't help me, as my mother had a stroke and was in New Jersey. It was incredibly stressful. No one should have to live through that.

12. My husband was in public service his entire life. He worked for the federal government, the state government, and the City of New York. He was a public servant. He was devoted to education, worked for the FDNY, and was an assistant superintendent for the School for the Deaf. A terrorist attack in NYC killed him. He gave his life to the city he loved. He was born in New York, he loved New York, and he willingly volunteered to respond to the World Trade Center. He lost colleagues and friends that day. I can't tell you the emotional and psychological toll that 9/11 took on us, on him. The pain and suffering he endured on 9/11 remained and lingered until his death on April 7, 2013. For me, my pain and suffering continues.

  
GEORGIA M ASCIUTTO

Sworn to before me this

12<sup>th</sup> day of July, 2022



Notary Public Andrew W. Buder

Reg. No. 02BU6304098

County of Westchester exp. 5/19/2025

**Gianna Hittman**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF**  
**GIANNA HITTMANN**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK )

: SS.:

COUNT OF WESTCHESTER )

GIANNA HITTMANN, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 1 Scarsdale Road, Apt. 501, Tuckahoe, New York 10707.

2. I am currently 24 years old, having been born on February 14, 1998.

3. I am the daughter of Stephan Hittmann, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from tongue cancer on April 7, 2013. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. I was only 15 years old when my father passed away, and I miss him every day. My father and I were always super close, and we would do just about everything together. My dad was ever-present as a parent, He would pick me up from school and plan lots of fun stuff for us to do together or as a family. My dad was someone who took an interest in my sports activities, hobbies and was always there for anything else in which I became involved. I always



remember my father as being the cool dad because he was easygoing and was always glad to hang out with me and my friends. My dad really went above and beyond to take me places and enjoy life as much as possible. One of my fondest memories, and one of the last things we did together, was the night my father took me to an Ed Sheeran concert. He took me because he knew I was a huge fan, and he wanted to go together. I still have lots of selfies of us from the concert, which makes me wistful for the time we spent together.

6. On September 11, 2001, I was only 3 years old. Because I was very young, I don't have specific memories. I understand that my father worked for the fire department and was one of many first responders when the Twin Towers were hit. Being a member of the FDNY, my father wanted to help as many people as he could. I've seen photos of my dad down at the World Trade Center digging through piles of debris, and I'm proud that my father worked to contribute to the recovery efforts at Ground Zero.

7. As a result of my young age, I actually didn't learn about my father's condition until he passed away. My parents had felt that my father's condition would improve, and they wouldn't need to worry me in case he made a complete recovery. They were fairly adamant about not telling me the painful details of my father's cancer. In retrospect, after my dad was diagnosed and he started to undergo treatment, there were definitely some changes and things that I noticed which indicated something was wrong. However, in my naivete, I wasn't able to pinpoint what it was. After my father passed away, my mother explained that my father was diagnosed in January and passed away less than three months later. Since my father was so healthy before the diagnosis, this was quite sudden and unexpected. It was also quite surprising that my dad passed away so quickly after the diagnosis because the doctors estimated he would have had more time.

8. While I was not informed of all the details at the time, I understand that once he was diagnosed, my father was receiving intensive treatment multiple days a week. I also distinctly remember that my father's friends and close family members would pick him up and drive him to the doctor's office. In addition, as much as my family tried to hide his illness from me, I could see that toward the end of his life my father became weak and often couldn't get out of bed. My dad was planning to take me to another concert. However, the night before the concert, he told me he would no longer be able to go, suggesting someone else could take his ticket.

9. There were other incidents that provided some clues as to the extent of my father's condition. For example, my father and I used to drink bubble tea together. However, the last time we went out for bubble tea, he had difficulty swallowing the tapioca bubbles and would start choking. More recently, when I had a cold, I prepared a hot tea to soothe my throat. It reminded me of spending time with my father because I recall he would frequently request hot tea that was almost scalding hot. Looking back, I realize that that wasn't normal at all, and he must have been drinking hot tea so often to try to numb the pain in the back of his throat caused by the tumor.

10. My father was at home when he passed away. He died sometime during the night, and when we woke up the next morning, he was gone. This was all very sudden for my family. My mom saw him and called an ambulance immediately. I remember being woken up by the blue and red lights flashing in my windows. Otherwise, I did not have any indication my dad was even on his deathbed. Everything that happened with my dad's cancer seemed to happen so suddenly.

11. It's been so heartbreaking to lose a parent when I was at such a young age. Looking back, I feel somewhat helpless that I could sense something wasn't right with my father but wasn't able to articulate it or be more engaged in his care. While my father didn't say anything about his cancer, I could tell there was a progression of him becoming weaker and being less available to do activities together. Frankly, it was extremely distressing to have this confusion around my dad's health or the reasons behind his decline. Imagine, being in a place where someone you love is slipping away and you don't know why. That's what happened to me, and it's incredibly difficult. Before my father's death and I could see he was becoming so weak, it was extremely painful to have to ponder whether I would still have the chance to do everything we had planned to do. It was also painful to think about whether we would be able to go on adventures in the future and do all the things we had discussed. There was definitely a period of shock and confusion for a long time after my dad was gone.

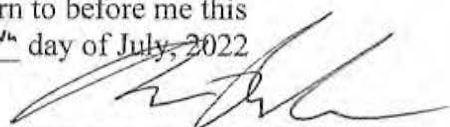
12. I want to reiterate that my father was such a special man. His funeral was attended by hundreds, as he was just so well loved by everybody. My father had touched the lives of so many, including many from the international community who flew in from Argentina, South Africa, and other places, and wanted to pay their respects. I feel so sad that we lost him so soon.



13. Currently, I'm working as a teacher at the School for the Deaf, the same school where my father worked as the assistant superintendent. I'm very proud of my dad, and it's so nice to meet my coworkers who worked with him and knew him on a personal basis. My coworkers who knew my dad are always glad to tell me stories about him and speak of him fondly. I feel that, if it weren't for my dad and all his encouragement that helped lay the foundation for my success, I would not be where I am today. I wish he could see all the things I'm doing, including working at the same school where he worked, graduating from Columbia University, his alma mater, as well as events in the future, as I continue to grow personally and professionally.

  
GIANNA HITTMANN

Sworn to before me this  
12<sup>th</sup> day of July, 2022

  
Notary Public Andrew W. Bader  
Res. No. 02BU6304098  
County of Westchester exp. 5/19/2026

**Larae Ann Brennan**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF**  
**LARAE ANN BRENNAN**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW JERSEY )  
: SS.:  
COUNT OF GLOUCESTER )

LARAE ANN BRENNAN, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 923 Ashburn Way, Woolwich Township, New Jersey 08085.

2. I am currently 46 years old, having been born on October 3, 1975.

3. I am the daughter of James Joseph Kelly, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from Chronic Obstructive Pulmonary Disease (COPD) on November 14, 2013. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. My father and I were very close. My first husband died of lung cancer. At the time, I had a 3-year-old and a 1-year-old. My parents spent a lot of time helping me out. My father took on a male role model for them. My father would go to any father-related events at preschool. My parents and I visited each other often, despite the 2-hour drive each way. They

lived in the Poconos. I didn't have any family close to where I lived, and they would help me out and support me. My brothers and I would try to coordinate trips to my parents' house, so the whole family could be together. My dad loved his grandchildren. The more he had around him, the happier he was.

6. On September 11, 2001, my father worked as a bus driver for the New York City Metropolitan Transportation Authority (MTA). When I saw what was happening, I called my mother to find out where my dad was. The phone lines were down, so it was difficult to get through to anyone. My mother said, "If I know your father, he's down there," which was true. When he came home later that night, my mom said he was covered from head-to-toe in white ash. My father volunteered to transport firefighters to the World Trade Center. I think he was also doing search and recovery for body parts.

7. When my dad first started having respiratory problems, mom would tell us about it. My dad tried to hide it from my brothers and me. We started to notice something wrong with my father. He was tired all the time. He didn't have his usual energy.

8. Emotionally, seeing my father sick had a very big impact on me. He was pretty young when he started slowing down and not acting himself. As much as he tried to hide it, there was a point where he couldn't hide the pain he was in. He couldn't keep up with the grandkids and that bothered him a lot because they meant everything to him.

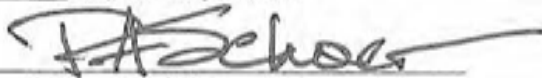
9. When my father died, I was five months pregnant. I lost the baby. I believe the stress of his death contributed to my having a miscarriage. Sometimes I think my dad was the glue that held the whole family together.

10. My dad was great at carpentry and home repair. He was teaching my brothers how to do electrical work, lay flooring, and install and repair appliances. Financially, it was a loss because we had to hire someone to do those things. More than money, we lost all that knowledge my dad had and planned to pass on to his sons and his grandkids. I miss my dad terribly.

  
LARAE ANN BRENNAN

Sworn to before me this

21<sup>st</sup> day of July, 2022



Notary Public

**PATRICK A SCHOEN**  
**ID # 50036250**  
**NOTARY PUBLIC**  
**STATE OF NEW JERSEY**  
**My Commission Expires April 11, 2026**

**Brian Patrick Kelly**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF**  
**BRIAN PATRICK KELLY**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.  
-----X

STATE OF NEW YORK     )  
                                  : SS.:  
COUNTY OF RICHMOND    )

BRIAN PATRICK KELLY, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 818 Lamont Avenue, Staten Island, New York 10309.
2. I am currently 39 years old, having been born on July 24, 1982.
3. I am the son of James Joseph Kelly, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.
4. My father passed away from chronic obstructive pulmonary disease (COPD) on November 14, 2013. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.
5. I was the youngest of my siblings. I had a good relationship with my dad. We would go together to baseball games and watch TV together when I was growing up. My dad was often working. My dad didn't want me to join the military because he was a Vietnam veteran, but I felt it was important to enlist. I joined the military at age seventeen.

6. I was eighteen years old at the time of September 11, 2001. My father was a bus driver for the Metropolitan Transportation Authority (MTA). On 9/11, my dad was at work, and I was deployed at Camp Hansen in Okinawa, Japan. When the 9/11 attacks happened, it was nighttime for me in Japan. I called home to make sure my father was okay. On and after 9/11, he would pick up FDNY firefighters on his bus and bring them over to the World Trade Center site. My dad also assisted in the recovery efforts and was actually in one of the smaller buildings surrounding the World Trade Center when it collapsed. Fortunately, he was alright. It was a while before I returned home, maybe not until December 2001.

7. At first, I didn't know much about what was going on with my dad's illness. I was away on deployment in Japan, California, and Iraq when my father was ill. My mom told me about my father's COPD diagnosis. My father kept us in the dark about his illness—he didn't want us to know.

8. In 2012-13, I was out of the military. I was living in New York and working in the NYPD. My parents were in Pennsylvania at the time. I saw my dad in Pennsylvania a few times during the course of his illness. I remember my father had to wear an oxygen mask (CPAP machine) to go to sleep. My dad used to go to bed early and wake up early in the morning, because he couldn't sleep. I was in New York right before my dad's death. He visited once and was hiding his illness from us.

9. It was upsetting to learn of my father's chronic illness and his passing, especially since I was away from home in the military often. I was only in my late twenties when my dad passed. I remember his funeral service. There were many family members and work friends from the MTA there. Now that I have children of my own, I wish my dad was here so I could call on his experience as a parent. It's sad to know that my children won't ever have a grandfather.



BRIAN PATRICK KELLY

Sworn to before me this

26 day of July, 2022



Notary Public

ANGELA SPECIALE NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01SP6390180 Qualified in Richmond County Commission Expires APRIL 8 2023
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**Colleen Kelly**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
COLLEEN KELLY**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF ~~PENNSYLVANIA~~ **NEW JERSEY** **PAS**

: SS.:

COUNT OF ~~MONROE~~ **GLoucester** **PAS**

COLLEEN KELLY, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 119 Alwen Avenue, East Stroudsburg, Pennsylvania 18301.

2. I am currently 70 years old, having been born on September 10, 1951.

3. I am the wife of James Joseph Kelly, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My husband passed away from chronic obstructive pulmonary disease (COPD) on November 14, 2013. It was determined by the World Trade Center Health Program that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. My husband and I met in 1973 and married in January 1975. James and I were very close. People who knew us, and saw us regularly, would always comment about how we were so connected to one another. During our marriage, there was nothing I wouldn't have told him and vice versa. We were just very trusting of each other. We had four children together. I



remember the time when the kids were in their teenage years, and I would ask James about our parenting, "do you think we're doing the right thing?" I was working as a psychiatric nurse, sometimes with disaffected kids from broken homes, which made me worried about even small mistakes. At the end of the day, James was just supportive and would reassure me. He was also a wonderful father.

6. James was with the kids constantly. For vacations, we would often go to my parents' home in Florida where James taught them all to swim. On a few occasions, we went to that alligator place with my son. There were times where I felt he was close to getting eaten up. We always stuck together and had great times on all those trips. My husband was always good at finding ways to make us laugh. Ultimately, as a husband and a father, James was very well respected and held in high esteem. When we had children, decisions were made together. James would whisper to me about what he thinks we should do for the kids' punishment if they did something wrong. Sometimes, he would ask me, "do you think I was too hard on that one?" He was very loving. Even when he had to work late into the evening, he would always be happy to be with us and would come home and tell us that we were the most important people in the world to him. When the kids were young, he would always have them laughing and telling funny stories. When James was here, it was always a household full of laughter.

7. On September 11, 2001, I received a call about the attacks from my husband, and he told me what happened. Then, I didn't see him for many hours. On 9/11, I was working, and after speaking with James, I received a call from my daughter, Larae. My daughter asked if I saw what happened in New York and asked if I would leave work. I explained that I needed to continue working and that I thought her father was in Manhattan. I told her that I thought he was there because he was the kind of guy who would go wherever help is needed. Sure enough, when I finally arrived home and saw James, he told me that they asked for volunteers and that he was the first one in his group to volunteer. In fact, there were only three in the whole depot who volunteered, and he was one of them. Then, he told me some of the horrors he saw there. James said that nobody should have to die the way that these people did. Even more eerily, James told me that 9/11 reminded him of his time in Vietnam. After 9/11, James told me multiple times how everything from the war came back to haunt him. He tried to be that funny guy, but every time he tried to return to normal, things would become harder for him. For example, when my younger son, Brian, was assigned to Iraq, I told James, and he started to

choke up. I told him Brian was on the phone calling from Italy and wanted to speak with him. James, however, just shook his head and said he couldn't talk at that moment. The reality is that James knew the types of scenes that awaited Brian in Iraq because he knew from his own experiences in Vietnam and 9/11 how bad war could be. Later on, James said to me, my youngest son is going to see things I never wanted him to see.

8. At first, I thought James was only at Ground Zero that one time. Shockingly, I later found out that he went back about four or five times. He was only volunteering and yet he went back and forth so many times. On 9/11, James was with his friend, who was heavyset, and when his friend called to him, screaming "don't leave me," James turned around and pulled him out of there so he wouldn't get covered with any of the debris. 9/11 gave James nightmares and as a result, sometimes he would even cry in the middle of the night. James would wake up the next day and report that he had that same dream again and would ask me, "did I cry last night?" I said "Jim, it's going to be okay," and would just hold him and try to move things along towards getting some coffee and starting our day. Unfortunately, this was a common scenario that repeated multiple times with James complaining to me that he can't seem to shake the bad dreams where he's running and can't escape.

9. James' health issues became apparent after I noticed he was having trouble when he was sleeping. This was aside from the nightmares. James would sound as if he was choking, and I would wake him up. He would say he was fine but after repeating this many times over a couple of months, I pushed him to see the doctor. In the past, I wouldn't mind a little snoring, but the post-9/11 snoring became so terrible it sounded like he was in serious trouble. The doctors conducted several tests and reported that James was oxygen depleted and said they would give him oxygen. This seemed to help a little bit. After the follow up visit, I reported that he still sounds as if he's choking sometimes. The doctors, naturally concerned, said James' breathing issues had become more severe and they would need to take a more aggressive approach. A lot of his treatment was in the form of myriad medications. I came back from the pharmacist with a bag full of drugs. My kids saw this and asked, "does dad takes all that?" They had prescribed blood thinners, oxygen, blood pressure medications, and everything you can imagine.

10. Roughly three years after 9/11, James was diagnosed with COPD. We both had our doubts about the diagnosis when we first heard. But sure enough, we got a second opinion,



which confirmed the serious diagnosis. To make matters worse, the COPD affected James' cardiac health as well. The doctor described James' pulmonary function as that of an 85-year-old, even though he was in his mid-50s when he was diagnosed, clearly attributing his condition to the pollutants floating in the air after the 9/11 attacks. James was only 63 at the time he passed away. After numerous appointments, the doctor pulled me aside and said James only has a short while longer, it's just a matter of time.

11. Within the few months before James passed away, he really wasn't doing much of anything at all. James stayed in bed most of the day. I would try to get him out of bed, reminding him, that it's already two o'clock in the afternoon, enticing him with some breakfast. However, it wouldn't last and, after another hour or so, James would get tired and want to get back to bed. He was so tired and really couldn't be himself at all. James' affect deteriorated, and he developed an attitude of "whatever." This was really hard for me to accept given that James had always been a man who loved life. James said to me before he died, "Colleen, my love, if I could be better I would, but I can't." He was just trying to apologize for not being able to be there in the future. In retrospect, it's almost as if he knew that he was going to die soon. None of the doctors told him that directly. He must have felt the end was near.


12. With James' first diagnosis, I was in a state of shock. After leaving the doctor, we went into the car and didn't say a word to one another. When we got home, James said he was worried about what would happen to him and where would go from here. I felt a lot of guilt and self-doubt, wondering why James had to go down to Ground Zero and whether I should have done more to try to stop him. James stopped me and said, Colleen, "you're the same way, when somebody needs help, you're the first one out the door." I didn't think he would get so hurt by it and never thought about it that way. Maybe, I was in denial and didn't want to think about such things. The reality is that every time James got another diagnosis, I would go into shock again. Before he really became totally secluded in his bedroom, I would still try to get James out of the house and try to tempt him with some dinner reservations. However, he rarely wanted to go anywhere. I looked at James, but he just wasn't the same person anymore. Seeing the changes in his personality was very painful for me. I think my children and I all carry around the pain of James' passing away. For me, it was especially difficult because I was my husband's primary caregiver and was actually the one who found him when he had passed away. After finding James, I broke down and didn't know what to do. My friend was with me, so she called my

children for me to let them know. After we called 911, I stayed with James and just lied on the floor next to him. It hurts knowing that my kids don't have their father to talk to going forward. Generally, James would speak to the children on a daily basis, and he became their go-to guy for virtually any situation.

13. Losing my husband was like losing my world. I see people around my age walking around with their husbands, and I feel jealous. It's hard to lose someone when they meant everything to you. James died way too young, and he'd still be with me and our children today had it not been for 9/11.

  
COLLEEN KELLY

Sworn to before me this  
21<sup>st</sup> day of July, 2022

  
Notary Public

**PATRICK A SCHOEN**  
**ID # 50036250**  
**NOTARY PUBLIC**  
**STATE OF NEW JERSEY**  
**My Commission Expires April 11, 2026**



**James Joseph Kelly, Jr.**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
JAMES JOSEPH KELLY, JR.**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK ) PENNSYLVANIA  
: SS.:  
COUNTY OF RICHMOND ) FRANKLIN COUNTY

JAMES JOSEPH KELLY, JR., being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 104 Montreal Avenue, Staten Island, New York 10306.

2. I am currently 45 years old, having been born on June 7, 1977.

3. I am the son of James Joseph Kelly, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from Chronic Obstructive Pulmonary Disease (COPD) on November 14, 2013. It was medically determined that his illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. My father was very close to all his kids. I worked for the New York City Police Department. If I had a midnight shift, we spoke on the phone every morning, and the end of my shift. One of us would always call the other to check in. As a kid, we'd go to Mets games together. Before September 11, 2001, we all had young kids of our own, and my dad was very close to all of us them. He loved having the whole family together, especially with his

grandkids. He liked to do anything outdoors with them.

6. On September 11, 2001, my father worked as a bus driver for the New York City Metropolitan Transportation Authority (MTA). I was waiting to get into the police academy and was home that day. I remember my dad returning home from work covered in dust and debris from the towers. My dad told me he helped evacuate the [South] Tower.

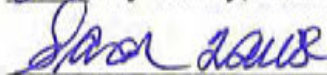
7. Shortness of breath was the first symptom I noticed in my dad. I remember how quickly he would become winded. When we went to a Mets game, even if I parked close, it would take so long for him to walk to the stadium and get to the seats. He always had to stop. I'd be walking and see he was 10 feet behind me. I'd stop to wait for him. When I asked him why he was so far behind, my dad would say he's fine. It was obvious that he wasn't fine. He got so tired.

8. My dad was always so strong, always helping the family with DIY projects, fixing and building things. To watch him deteriorate and not be able to do those things was very hard. He was a strong guy. He could lift up a huge piece of sheetrock. When he wasn't able to do those things anymore, it was like he was already gone. He was the "go-to" guy in my family, not just because he was handy but also because he gave good advice.

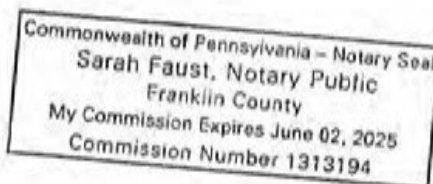
9. My father died at home. I was working at the scene of a domestic call. I saw that I had about 15 messages from my mom's neighbor. She let me a voicemail saying, "your dad is dead". I didn't get to see him. I miss my dad every day. He died young and should still be here with us today.

  
JAMES JOSEPH KELLY, JR.

Sworn to before me this  
22 day of July, 2022



Notary Public



**Michael John Kelly**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re:

## TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

GEORGIA M. ASCIUTTO, et al..

**AFFIDAVIT OF  
MICHAEL JOHN KELLY**

Plaintiffs.

20-CV-00411 (GBD)(SN)

$$\mathbf{V}_i$$

ISLAMIC REPUBLIC OF IRAN.

Defendant.

STATE OF PENNSYLVANIA)

: SS.:

COUNT OF FRANKLIN

MICHAEL JOHN KELLY, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 1412 Millennium Drive, Chambersburg, Pennsylvania 17202.
2. I am currently 43 years old, having been born on April 30, 1979.
3. I am the son of James Joseph Kelly, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.
4. My father passed away from Chronic Obstructive Pulmonary Disease (COPD) on November 14, 2013. It was medically determined that his illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.
5. My dad was everything to me. We'd speak every day, and I could ask him about anything. I'm a police officer in Washington D.C. My dad and I would check in with one another after every shift. He was a very hands-on grandfather, too. He was a big part of all of our lives, for my mother, me, my siblings and our children.

6. On September 11, 2001, my father worked as a bus driver for the New York City Metropolitan Transportation Authority (MTA). On the day of the attacks, my dad helped bus the firefighters back and forth to Ground Zero.

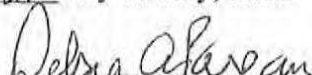
7. After September 11, my dad started having flashbacks and nightmares of his time in the Vietnam war. As his illness progressed, he would tire easily, but he would always try to keep up with the grandkids. When his mobility became limited, he'd still sit down on the ground to play with the kids, even though he needed help to stand up again.

8. His death left a huge hole in our lives. Not being able to pick up the phone and ask him for advice—it's just a void that can't be filled. He was so good at doing things we now need to outsource, whether it's a plumber, contractor or electrician. I never realized what a pain it was to wait for someone to show up at your house, or how expensive it was. It was great that he did that for us, but it wasn't just that we got it for free. It was like a family tradition. He started passing that knowledge onto my brothers and me. When he's teaching us, we're thinking about the day when we'll teach our kids.

9. When my dad died, part of my mom died with him. It was like losing both parents. Without my dad or his pension, my mom has had a very difficult time taking care of the house. Us kids have talked about my mother moving in with one of us because she's overwhelmed. My oldest is now 21. Just the other day she said, "It would be nice to be able to have a drink with him." I miss just sitting around and laughing with my dad.

  
MICHAEL JOHN KELLY

Sworn to before me this  
21 day of July, 2022

  
Notary Public

Commonwealth of Pennsylvania - Notary Seal Debra A Parson, Notary Public Franklin County My commission expires November 21, 2024 Commission number 1125822
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**Joseph Krasko**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
JOSEPH KRASKO**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.  
-----X

STATE OF NEW JERSEY )

: SS.:

COUNTY OF MONMOUTH )

JOSEPH KRASKO, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 44 Forman Street, Fair Haven, New Jersey 07704.

2. I am currently 47 years old, having been born on June 9, 1975.

3. I am the son of Geraldine Krasko, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My mother passed away from interstitial lung disease on March 19, 2014, at the age of 64. It was medically determined that this illness was causally connected to her exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. My mom and I always had a great relationship and spent a lot of time together. As odd as it may sound, one of my favorite things to do with my mom was to go grocery shopping. That was always a chore that I enjoyed because I always liked finding new items and reviewing the labels on foods trying to find the healthiest things for my family and me to eat. Since my mother and I did the grocery shopping for the family a few times per week, to find fresh



ingredients, we had a chance to bond for hours at a time. Those are some of my favorite memories. Outside of that, I looked to my mother for a lot of advice and guidance. I believe that she was truly the rock of the family and was really involved in keeping everybody connected. If I ever had a tough day, I could always talk to my mother, and she would make me feel better.

6. In later years, my mother became instrumental in supporting me when I started a family of my own. In fact, since I've been married for over 30 years, my wife was at the house as a support system for my mother on 9/11, which she always appreciated since my mom needed a lot of care at that time. Currently, I have three kids, including a 17-year-old daughter, a 15-year-old son, and an 8-year-old son. As the oldest and first grandchild in the family, my daughter was very close with my mom. While my mother was able to meet all my children before she passed away, my youngest was only a few months old, and my mom was only able to hold him a handful of times. Since all my kids are still young, I'm saddened that my mom isn't able to be here and see them grow as they accomplish all the milestones of young adulthood.

7. My mom worked for the Port Authority of NY/NJ and was in her office on the 67<sup>th</sup> floor of the Twin Towers on September 11, 2001. After the plane hit the North Tower, my mom descended the staircase to safety as quickly as she could. We were so worried about her on 9/11. Eventually, my father contacted me and explained that my mom had surfaced in a hospital far away and was alive. When we were finally able to see her, it was pretty scary. Her hair was usually black, but on 9/11, she had gray hair because she was covered in the toxic dust, and it seemed that the hospital didn't clean her up very well. When she finally made it home, you could tell where she'd been, and there was no doubt that that person had been in the middle of a war zone. Mom was struggling, immensely shaken up, and had trouble walking around the house because of anxiety from her 9/11 experience, as well as the fact that she injured her knee after reaching the outside of the tower. To make matters worse, my mother explained that she hurt her knee after tripping over a body on the ground. As the adrenaline wore off from 9/11, my mother's knee pain became even more intense. On 9/11, my mom couldn't sleep, and she was on the couch awake the whole night. It was hard for her to shake off the experience from that day, literally and figuratively. Even after showering and trying to get rid of all the dust, it was impossible to shake off the experience.

8. I learned that my mom was having respiratory problems after I received a call from my father indicating that he was going to take my mom to a pulmonologist. At first, it



wasn't clear how my mom became sick. Soon enough, it became readily apparent that the exposure to dust from the 9/11 attacks was to blame. Around the time my mother was being evaluated, a number of news stories emerged explaining how EPA Administrator, Christine Todd Whitman had deceived the public regarding the safety of the air quality surrounding Ground Zero. My mom was a pretty proud woman, and she didn't really want to talk about it too much. Usually, if I asked her about it, she would dismiss it saying, "nah, it's probably nothing." However, it soon became very clear that her issues were more serious. Over the coming months, it got worse, and she had to go on a breathing tube.

9. After my mom was prescribed the oxygen tanks, there was a total switch with her. This was a very disheartening change for her, and she became a different person because she didn't want to have so many restrictions on her activity. After 9/11, my mom was mentally banged up from the whole experience, but, after some time, she at least appeared strong. However, after the oxygen tanks, she felt like she was walking around with a scarlet letter and that's when she realized that she's just not as strong as before, and the world can see it. Of course, that wasn't the case, but it reflected how she felt, even if it wasn't true. My mother became self-conscious that she needed that type of assistance just for doing the basic things in life. This just beat her up something terrible. I tried not to bring it up too much with her because I could see she was really depressed, but I really wanted to help her in any way that I could. It became pretty plain to see how my mom's respiratory disease held her back, and she would gradually go out of the house less and less. This created a number of situations where it became more difficult to be with the grandchildren as well. Mom would try to explain that it wasn't holding her back too much, but she was doing a poor job hiding it.

10. My mother wound up requiring oxygen for several years before she passed away. If my mother was out for a short while, she could use a small tank. If she was expecting to be out for the whole day, however, she needed to plan to have a larger tank, which required her to use her walker. On one particular occasion, I remember there was a grandparents' day at my kids' school where the grandparents would sit in on a class and attend a school play. That was a long day when my mom needed the larger tank and the walker. Unfortunately, the school wasn't the most accommodating building in terms of accessibility for people with mobility issues. As a result, getting my mom into the classroom and the play involved separate entrances and staircases. As I watched her, I could tell this distinction bothered her a lot. After that, my



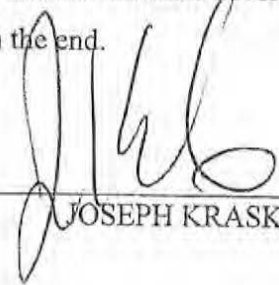
mother would generally decline some of those events because she felt some embarrassment around being the person who would need others to make special accommodations for her. Many people suffering from respiratory conditions make use of inhalers and other prescriptions. However, my mother's condition, the interstitial lung disease, was so severe that she bypassed all that and was put on oxygen soon after her diagnosis.

11. My mother's illness was tough on me emotionally because it beat me up to see how much it beat her up. Having my mom constantly use the oxygen definitely took a lot of getting used to. She would come in with this tank and then you'd have to wheel her somewhere and find a way to plug it in, which always made her feel self-conscious that the kids had to be cognizant of all these wires and tubing for her. That really weighed on me because my kids were young, not even six years old, at the time she first started using the oxygen, and my kids didn't really understand why grandma needed all that extra equipment. It was particularly upsetting just seeing her try to hold my newborn son and struggling to juggle the oxygen tubing and the baby at the same time. I was hurt that my mother was never the same person, and it pained me to see her suffer and attempt to mask her suffering the way that she did. Toward the end, my mom was hospitalized and just didn't come back out. It was horrible, and I couldn't even return to work for weeks because I was so upset. Many days, I woke up feeling guilty, wondering if there would have been more I could have done to care for my mother, whether it would have been a lung transplant or exploring some other treatment. I couldn't help but feel that I let her down. When my mom needed the oxygen, anytime we had to travel with her it was an ordeal to get her in and out of the car. I always felt guilty that something else could not have been done for her. The toughest thing for me was seeing how much having to be accommodated and inconveniencing people bothered her and weighed on me.

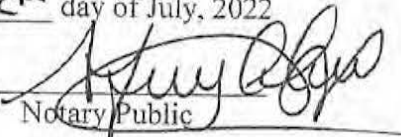
12. Whereas there wasn't a direct impact on me financially following my mother's illness, there were myriad of effects and consequences, which had an indirect impact financially and mentally. Certainly, seeing my mother in her weakened state weighed on me, which had a negative effect on my focus. At work, I held a sales position, and because I lost focus having been distracted with my mother's condition, my performance at work decreased, and I wasn't able to produce nearly as much had I not had to worry about taking time to make sure my mom was receiving all the care she needed. Many nights, I would wake up and see my mom on the couch having difficulty sleeping, which made it hard for me to go back to bed peacefully. All of

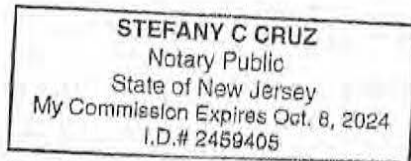
this had a real impact on my performance at work, making for some difficult years.

13. Reflecting on my mother's life, I believe that she had a healthy lifestyle and did not work in any field that would have exposed her to any kind of environmental dangers. She didn't work in a garage or a toll booth. Rather, she worked in an office building. When my mom began having respiratory issues, she was still in her 50s. That wasn't bad luck or a coincidence. The reality is she was taken from us way too soon and her condition was a direct result of her exposure to the toxins caused by 9/11. Sadly, my mom had various bumps and bruises along the way that weighed on her mental health too. Her quality of life deteriorated from both the knee injury she sustained on 9/11 and the terrible respiratory disease she later developed. Mom survived that day, but the events of 9/11 took her life in the end.

  
JOSEPH KRASKO

Sworn to before me this  
12<sup>th</sup> day of July, 2022

  
Notary Public





**Joseph M. Krasko**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
JOSEPH M. KRASKO**

Plaintiffs,

20-CV-00415 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.  
-----X

STATE OF NEW JERSEY            )  
  : SS.:  
COUNTY OF OCEAN                )

JOSEPH M. KRASKO, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 15 Leighton Lane, Manchester, New Jersey 08759.

2. I am currently 74 years old, having been born on July 20, 1947.

3. I am the husband of Geraldine Krasko ("Gerrie"), upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of the claim on behalf of my wife's estate.

4. My wife passed away from interstitial lung disease on March 19, 2014, at the age of 64. It was medically determined that this illness was causally connected to her exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. On June 18, 2014, I was appointed the personal representative of my wife's estate by the Ocean County, New Jersey Surrogate's Court.

6. I married Geraldine on June 16, 1972. At the time my wife passed away, we had been married for nearly 41 years. We were very close to one another, and she was a beautiful person inside and out. Together, we led active lives and enjoyed a healthy social life, attending

lots of parties, and most importantly, raising two children together. Geraldine and I traveled a lot because I retired from a career with an airline, and we always had good travel benefits. The four of us would take many trips down to Florida. All things considered, everything was happy go lucky, and we were a typical family of four. At the time of September 11, 2001, both of our children were still at home and hadn't yet married. After the 9/11 attacks, Geraldine started to develop various health problems, including an injured knee from falling over a body as she escaped the North Tower on 9/11 and post-traumatic stress where she would describe reliving that horrible experience. Within a few years, my wife had begun to experience some breathing difficulties. Before my wife passed away, we were anticipating some time down the road moving to South Jersey for our retirement years.

7. September 11 changed Geraldine's life 110%. She suffered as much mental stress as she did physical. My wife worked on the 67<sup>th</sup> floor of the North Tower (1 WTC), the first building that was hit, when she was working for the Port Authority of NY/NJ. At the time that I saw the attacks on television, I was praying she was in the second tower; although now, I thank God that she wasn't because the second building hit was the first building to collapse. Geraldine had to go down the staircase, with rheumatoid arthritis, which she had for most of the years we were married. I'm thankful that she had a guardian angel walk down the stairs with her, a coworker she never met before who never left her side. By the time she reached the 20<sup>th</sup> floor, my wife had difficulty breathing and continuing to move. Thankfully, her coworker stayed with her, helped give her some support, made her get up, and made sure she went the rest of the distance. When she got down to the ground level, they stayed together. However, because of the white dust flying all around, Geraldine tripped and stumbled over a body lying there. And to this day, we don't know if that body was alive, or if it was dead, because of the catastrophe going on at the time. But they made it out of tower and started up the street. And as they were walking, the South Tower was collapsing, and they were trying to outrun the cloud of white smoke that seemed to be chasing after them. Along the way, some people in the doorway of one of the stores grabbed them and pulled them both into the store to spare them from more of the white powder coming down after them. It was over an hour and a half before Geraldine was able to contact me and let me know she was alright. The coworker she was with connected with his girlfriend who had a phone and placed a call to me. When I saw the caller ID, it read 'Immaculate Conception,' I thought it must have been from heaven, and thankfully, my wife



spoke to me and told me she was okay. Finally, late in the evening of 9/11, the Port Authority police brought Geraldine over by car to Bayonne, where we lived at the time, and I brought her home. Geraldine continued to work for the Port Authority, first in a temporary location in Jersey City, NJ, and later at an office in Union Square. Whereas my wife once fell in love with New York and the Twin Towers, after 9/11 she became petrified. Ever since 9/11, Geraldine's mind was never the same, and anxiety and fear were ever-present.

8. Geraldine used to be the calm one, like a duck. The water would just roll off her back. That all changed after 9/11. She had a difficult time sleeping, sometimes just two to three hours a night before becoming restless, and then her motor would start running. Mostly, she was constantly reliving a lot of that day. As time went on, the physical impact was felt too. It started wearing her down, and Geraldine started having a hard time breathing. And she really wasn't happy go lucky as she was before. She was a different person altogether. Geraldine's exposure took a toll on her lungs. Obviously, the cloud of white dust, which included myriad substances, chased her and her friend down the block. Everybody inhaled the dust caught in the toxic air. Eventually, it came out at different times, affecting everybody in some way as life went on.

9. I remember when Geraldine really began to show signs of trouble. One evening, when we were out seeing a show, it was drizzling a little bit, and we had to go to our car, parked a block away. To avoid the rain, we started doing a trot to the car, but very, very gingerly as the rain started to pick up. By the time we got to the car, I thought she was going to have a massive heart attack. My wife was gasping for air so bad that I almost took her to the hospital. I was so scared at the time and told her that we have to find out what was causing her shortness of breath. That terrifying experience was the introduction of Geraldine's respiratory disease. I used to go to the doctor with Gerrie, and the doctor examined her, listened to her breathing, and determined that she was not alright. The doctor reported that she was having pulmonary problems and that they would continue. It scared the hell out of the both of us. In due time, Gerrie would come to need oxygen on a daily basis. In 2012, when Hurricane Sandy hit, I stocked up on big oxygen tanks in case the electricity went out in the house. I'm glad we were prepared, because sure enough, electricity was out for four or five days, during which time I obtained even more oxygen just in case the outage would have been longer. All of a sudden, we found ourselves learning a lot about breathing issues and portable oxygen devices. The oxygen was a big thing for Gerrie. She needed it, but it was something that made her uncomfortable and



self-conscious because she was concerned that people would see the oxygen tank and make a judgment about her condition.

10. When Gerrie was ill, I could see she was in great pain and had a hard time with even mild activity. Although, to her credit, Gerrie was never a moaner or a complainer. I'm sure my children can attest to the fact that their mother didn't complain much, and that I was the weaker one. I noticed changes in Gerrie's physical limitations right away. As things got worse, she had a hard time getting up from bed, or even sitting still at the edge of the bed, because she had a hard time breathing. Physically, while Gerrie was experiencing all of her respiratory issues, she was also suffering from knee pain. Despite her knee surgery, her knee never fully recovered. During the recovery period from the surgery, Gerrie had to undergo rehab work to learn how to walk again. It was a very challenging time for her. Finally, when she was in the hospital before she passed away, she couldn't even get out of bed. Ultimately, my wife's breathing got so bad, slowly but surely, it was like she had an invisible disease. We couldn't always see it, but she felt it with every breath she took.

11. For Gerrie, each pulmonary function test got worse and worse, and moving around became more and more difficult without her becoming short of breath. I know my wife tried to stay strong as possible. Gerrie did not want to ever ask for help. And, while I tried to do everything for her, gladly at her beck and call, she didn't like that experience and was saddened by the loss of independence she felt. If she were here today, she would have said that, if she had a choice, she would have chosen to go earlier than she did, essentially having given up on life. Gerrie did not want to become a burden, and she didn't want to hurt me or our kids. Gerrie wasn't afraid of dying and made peace with her maker a long time ago because of what she experienced on 9/11.

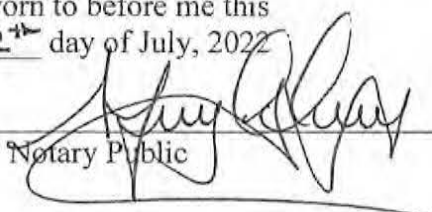
12. Emotionally, Gerrie reached a point where she had just given up on herself, the world, and on everything. I really do believe that she knew whatever was going on inside of her lungs was incurable. It was heartbreaking to watch my wife's outlook and demeanor totally change. Whereas Gerrie was usually happy to talk and was very social and engaging, she became very low key. I believe that many, many times that I saw her sitting on the couch, watching television, she might have been praying under her breath...I'm not even sure she was watching television, and she may have just sat there. She wasn't a complainer, so she was a real soldier in that regard. It's so unfortunate what happened. Gerrie's lung disease became so

aggressive, and her time came up.

13. Gerrie was in the hospital for a good 14 days before she passed away. Somehow, the doctors and the nurses taking care of her made her feel like she would be coming home soon. That was the feeling for the first five or six days, that she would come out of this and be released. However, since she would have her lung function tested each day and it wasn't getting any better, Gerrie's prognosis began to change. Gerrie didn't want to die in front of me or the kids, so she waited until nobody was there. I was on my way back to the hospital to visit her when I received the call from her doctor. After pulling off the highway, I was informed that she had passed away. My wife was my best friend and loved all of us very much. She didn't deserve to suffer the way that she did.

  
JOSEPH M. KRASKO

Sworn to before me this  
12<sup>th</sup> day of July, 2022

  
Notary Public

